

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:13-CR-00259-F-2

UNITED STATES OF AMERICA)	
)	
v.)	ORDER
)	
EDGARDO BARRON-ESPINOSA,)	
Defendant.)	

This matter is before the court on Edgardo Barron-Espinosa's Motion for Reconsideration [DE-151]. In his motion, Barron-Espinosa is attempting to attack the validity of his sentence.

Because Barron-Espinosa is attacking the validity of his sentence, the appropriate avenue to bring this challenge is by way of a § 2255 motion.¹ To the extent that Barron-Espinosa seeks to file a § 2255 motion, he must file it on the appropriate form. The Clerk of Court hereby is DIRECTED to send a copy of the appropriate § 2255 form to Barron-Espinosa. If Barron-Espinosa elects to pursue a § 2255 motion, he shall have twenty-eight days within which to file his motion on the appropriate § 2255 form provided by the Clerk. Barron-Espinosa should send the original of the § 2255 form to:

Clerk of Court
United States District Court, E.D.N.C.
ATTN: Prisoner Litigation Division
P.O. Box 25670
Raleigh, North Carolina 27611

¹ Title 28, United States Code, Section 2255 states four grounds upon which such relief may be claimed: (1) that the sentence was imposed in violation of the Constitution or laws of the United States; (2) that the court was without jurisdiction to impose such sentence; (3) that the sentence was in excess of the maximum authorized by law; and (4) that the sentence is otherwise subject to collateral attack. 28 U.S.C. § 2255(a).

SO ORDERED.

This 2 day of February 2017.

A handwritten signature in black ink, appearing to read "James C. Fox", is written over a horizontal line.

JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE